

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

UNITED STATES OF AMERICA

3:20-cr-00373-SI-8

v.

CRUZ JUNIOR ORTIZ,

Defendant.

**PRELIMINARY ORDER OF
FORFEITURE AND FINAL ORDER OF
FORFEITURE AS TO DEFENDANT
CRUZ JUNIOR ORTIZ**

Defendant, Cruz Junior Ortiz, entered into a plea agreement and pleaded guilty to Count Seven of the Indictment.

In the forfeiture allegations of the Indictment in the above case, the United States sought forfeiture of all property of the defendant pursuant to 21 U.S.C. § 853, as either proceeds of the unlawful drug activities, or property used or intended to be used to facilitate said violations charged in Count Seven.

Accordingly, it is ORDERED:

1. Based upon the defendant, Cruz Junior Ortiz's, plea of guilty to Count Seven of the Indictment, and pursuant to Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853; the United States is authorized to seize the following property, and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n):

\$7,132.01 U.S. currency;

\$1,591.00 U.S. currency;

\$6,500.00 U.S. currency;

One Sturm, Ruger & Co., Inc. 10/22 .22 Caliber Rifle;

One Spike Tactical, LLC ST15 6.5 Caliber Rifle; and

All associated ammunition and accessories.

2. The forfeited property is to be held by the United States Marshals Service in its secure custody or, as may be necessary, the United States Marshal may appoint a substitute custodian, and is authorized to maintain and otherwise provide for the care of the property during the pendency of this action.

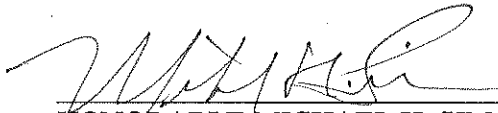
3. Pursuant to 21 U.S.C. § 853(n)(1) and Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, the United States shall publish on the official government internet site, www.forfeiture.gov, notice of this order, notice of the Marshal's intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than the defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property. The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in

property that is the subject of this Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment. Upon entry of this Order, the United States is authorized to conduct discovery in identifying, locating, or disposing of the assets in accordance with Federal Rule of Criminal Procedure 32.2(b)(3).

5. Following the Court's disposition of all petitions filed, or if no such petitions are filed within the time prescribed by law, upon proof of publication and proof of notice to any persons known to have alleged an interest in the property, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee as provided in Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure.

IT IS SO ORDERED this 28th day of October 2022.


HONORABLE MICHAEL H. SIMON
United States District Judge

Presented by:

NATALIE K. WIGHT
United States Attorney

/s/ Gregory R. Nyhus
GREGORY R. NYHUS
Assistant United States Attorney